

The complaint

Mr Z complains that TSB Bank plc treated him unfairly in branch.

What happened

In early 2023, Mr Z visited a branch of TSB to deposit money. Mr Z has a stammer which makes it difficult to speak to people and means that he sometimes makes faces when talking. Mr Z thought that members of staff were laughing at him because of his stammer.

TSB investigated Mr Z's concerns by reviewing available CCTV and speaking to staff members. TSB agrees that members of staff were laughing in branch but that this was not directed at Mr Z.

TSB said it always trains staff to be polite and helpful when dealing with customers but it made the staff involved aware of Mr Z's concerns and gave them additional guidance to help address their language and behaviour when customers are present in the banking hall.

TSB offered to pay Mr Z £50 compensation to apologise for any upset caused. TSB offered to reimburse any additional costs incurred by Mr Z such as telephone calls or fuel if he had visited a branch. TSB also told Mr Z that it would tailor its support to him if he needed it to work differently with him.

Our investigator didn't uphold Mr Z's complaint. He thought TSB had fairly investigated the complaint and that TSB's response and offer of compensation were reasonable. Our investigator said that it wasn't unusual for staff to have conversations unrelated to other things going on and that even where CCTV was available, it would not prove what the source of amusement was.

Mr Z says that one of the members of staff he had approached for help was involved in the laughter. Mr Z says that if he didn't have the stammer he may not have been so bothered about staff laughing in branch. As Mr Z disagrees with the investigation outcome the complaint has come to me for a final decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Where the evidence is incomplete, inconclusive, or contradictory, I reach my decision on the balance of probabilities – in other words what I consider is most likely to have happened in light of the available evidence and the wider circumstances.

I can see that Mr Z found his experience in branch stressful and I do not in any way seek to downplay the upset that he felt. TSB accepts that members of staff were laughing in branch but says this was not directed at Mr Z.

TSB promptly investigated Mr Z's concerns and spoke with the people involved when the incident is likely to have been fresh in their minds. The members of staff said they did not

laugh at Mr Z and without independent witness testimony to the contrary, I can't fairly conclude that they were lying.

I have not been able to review CCTV footage of the events in branch as TSB has told us that it is unavailable. But I am not persuaded that it would have changed the outcome of Mr Z's complaint. I say this as the CCTV has no sound and is only in still shots. TSB already agrees that members of staff were laughing so even if the CCTV showed the laughter, it would be almost impossible to decide that this was directed at Mr Z.

Overall, I am satisfied that TSB responded to Mr Z's concerns fairly. TSB's offer to pay £50 for any upset caused to Mr Z seems reasonable. As I am not persuaded that TSB discriminated against Mr Z because of his stammer, I don't require TSB to do more than it already has. I am sorry if this comes as a disappointment to Mr Z.

My final decision

I think TSB has already made an offer which I consider is fair. So, my final decision is that if it has not already done so, TSB Bank plc should pay Mr Z £50.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr Z to accept or reject my decision before 8 March 2024.

Gemma Bowen
Ombudsman